

12 APR 1965

MEMORANDUM FOR: Legislative Counsel

SUBJECT: H.R. 2433, Accelerated Retirement for Federal Employees
Engaged in Hazardous Work

1. The subject bill proposes optional retirement for employees engaged in hazardous occupations, i.e., occupations in which an individual is subjected to disease or accident of an unusual nature. The conditions of eligibility for an annuity correspond to the special provisions in the Retirement Act for individuals engaged in criminal investigation, detection and detention - namely, 50 years of age and 20 years of service. The formula for computing the annuity would also be the same (2% of average salary times years of service, not to exceed 30 years). Unlike the adjudication of an annuity for criminal investigators, however, Civil Service Commission approval of an application for retirement under H.R. 2433 would not be required, although the bill provides that the Commission would determine what activities are to be considered as hazardous.

2. Although the Agency has assumed a positive position relative to accelerated retirement, it appears that the subject bill could achieve much of the intent of the Agency's proposal. This Office believes passage of the bill would be advantageous even if the CIA proposal were introduced and adopted since the provisions of H.R. 2433 are permissive and each case of retirement would be subject to the approval of the head of the department or agency concerned. The meaning and interpretation to be accorded the phrase "occupation...subjected to disease or accident...." is of controlling importance insofar as its prospective applicability to CIA is concerned. In the event favorable consideration is given the bill, I consider it appropriate for the Agency to seek an amendment specifically citing intelligence activities in overseas areas as one of the "occupations subjected to disease or accident," rather than leaving this matter to the administrative determination of the Civil Service Commission.

3. I would appreciate being advised of any Congressional action on the bill and would like to receive copies of any Committee hearings and reports.

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Director of Personnel